

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No.158

CWP No.19836 of 2022

Date of Decision: 05.09.2022

Jai Pal

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh Kumar Dhankhar, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that the petitioner has retired on attaining the age of superannuation on 31.01.2022 but even after expiry of more than six months, the pensionary benefits of the petitioner have not been released to him whereas, as per the judgment of Hon'ble Full Bench of this Court rendered in the case of **A.S. Randhawa Vs. State of Punjab and others**”, 1997(3) SCT 468, the pensionary benefits of a retired employee are to be released within a period of two months from the date of retirement in case, there is no impediment.

Learned counsel for the petitioner submits that there is no impediment in the release of pensionary benefits of the petitioner as no enquiry is pending against him so as to give jurisdiction to the respondents to withhold his pensionary benefits, hence, the respondents are liable to be directed to release the pensionary benefits of the petitioner along with interest.

Learned counsel for the petitioner submits that the grievance as being raised in the present petition, has already been raised by the petitioner by way of representations dated 02.05.2022 and 13.06.2022 (Annexures P-2 and P-3 respectively) to the Chief Minister, which representations have already been sent to respondent No.2 for passing appropriate orders and the petitioner will be satisfied at this stage in case, respondent No.2 is directed to decide the said representations by passing appropriate speaking order in a time bound manner.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana accepts notice on behalf of the respondents and submits that the representations dated 02.05.2022 and 13.06.2022 (Annexures P-2 and P-3 respectively) if already received by respondent No.2, the same will be decided within a period of 8 weeks of the receipt of this order by passing an appropriate speaking order and in case, after passing the speaking order, the petitioner is found entitled for any relief, the same will also be extended to him within a period of 4 weeks thereafter.

Learned counsel for the petitioner submits that keeping in view the above mentioned statement made by learned State counsel, no further grievance of the petitioner survives in the present petition at this stage and the same may kindly be disposed of having been not pressed any further at this stage.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

05.09.2022

Maninder	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No